REMARKS

Claims 1-13 were previously cancelled. Claims 14-29 are now pending in the application.

Claim 24 is amended to independent form simply in view of the inconsistency between claim 14 (vehicle operator alerted by optical display) and claim 24 (vehicle operator alerted by acoustic signal).

Independent claims 14 and 27 are amended to change "impermissible deviation" to "implausible deviation" as supported by paragraphs [0009] and [00010] of the specification, since the display is changed following a "plausibility check" of incoming image information. It is believed that this term more clearly defines the invention and distinguishes over the prior art. This term has a well recognized art-accepted meaning in the art of vehicle control systems, as evidenced by, e.g.:

US 6,490,511 (Ford) claiming a powertrain control module comprising an independent plausibility check;

US 6,496,763 (BMW) claiming a system including means for evaluating plausibility of a rollover signal; and

US 6,980,097 (Daimler) claiming a method and device activating a vehicle-occupant protection device after occurrence of a positive plausibility-confirmation check.

It is respectfully submitted that this amendment clarifies the differences between the present invention and the cited prior art and thus places the application in condition for allowance.

Turning to the Office Action of March 31, 2008, the paragraphing of the Examiner is adopted.

Paragraphs 1-2

Claims 14, 18, 26-27, and 29 remain rejected under 35 USC §102(b) as being anticipated by Yasui et al. (EP 1 094 337 A2).

The Examiner acknowledges that 40 and 50 are not image sensors, but points out that 10 is an image sensor.

While the Examiner is correct, Applicants point out that the system of Yasui et al does not subject incoming image information to a plausibility check, and alert the operator if the sensed image information is not evaluated as plausible.

Since Yasui et al do not teach comparison means for carrying out a plausibility check including an image processing algorithm via which the most recently recorded image is compared with the image information stored in intermediate memory and evaluated for plausibility and triggering a modification of the displayed video image to alert the vehicle operator on detecting an implausible deviation between the most recently recorded image and the image information in the intermediate memory, Yasui et al do not anticipate the present claims.

Accordingly, withdrawal of the rejection is respectfully requested.

Paragraph 3

The Examiner points out that Yasui et al uses an intermediate memory for comparison of images from different positions by a single camera <u>for distance calculation purposes</u>.

The Examiner is correct. However, distance calculation does not alert the operator to any lack in reliability of the image information being processed by the system.

Yasui et al. teach a park assist system. The system alerts the vehicle operator only of danger of collision with approaching objects based on calculated own vehicle trajectory. The system analyzes and presents sensed data, and may modify the presentation to alert the vehicle operator in the case of danger of collision. However, the system does not evaluate sensed image information for plausibility, and warn the vehicle operator in the case that sensed information is evaluated as not plausible.

Accordingly, withdrawal of the rejection is respectfully requested.

Paragraph 4

The Examiner takes the position that a distance calculation as carried out by Yasui et al is a deviation calculation.

Applicants agree with the Examiner. Yasui et al compare and assess the deviation between two <u>expected</u> images to compute therefrom the distance to an object. Without deviation between the two images, there could be no distance calculation.

However, Yasui et al do not teach comparison means for carrying out a plausibility check including an image processing algorithm via which the most recently recorded image is compared with the image information stored in intermediate memory and evaluated for plausibility and triggering a modification of the displayed video image to alert the vehicle operator on detecting an implausible deviation between the most recently recorded image and the image information in the intermediate memory.

Accordingly, Yasui et al do not anticipate the present claims, and thus withdrawal of the rejection is respectfully requested.

Paragraph 5

The Examiner takes the position that Yasui et al teaches evaluating an impermissible deviation – namely, a deviation from the safe track during parking of a vehicle, and warning the driver of the proximity of other cars by changing the display according to the calculated distance.

Applicants thank the Examiner for pointing out that the claims as originally presented were liable to this interpretation.

Applicants herewith amend the claims to clarify that what is being evaluated is actually the <u>plausibility</u> of the <u>image information</u>. Since the original claim term "deviation" is open to interpretation, Applicants amend the claim to more clearly and precisely claim the present invention.

The manner of operation of the present invention is clear from paragraphs [0009] and [00010] of the present specification reciting: "In the framework of this plausibility check, impermissible deviations between the most recently detected image and the image information stored in the intermediate memory are taken into consideration. For determining impermissible deviations, here the vehicle operating parameters are compared, in particular, with the detected image information or the image parameters of the image information. On the basis of a functionality test carried out by the plausibility check, it is now possible to inform the operator regarding the functionality of the vehicle environment unit."

The balance of the specification is devoted to teaching how to recognize impermissible deviations between stored and current images which indicate that the image information may not be plausible.

Accordingly, in the present invention, actual image information is compared with recent image information for a determination if deviation is within expectations, and if deviation is too great, the vehicle operator is alerted that the image information currently being received is not to be trusted.

This enhances the safety of the vehicle operation in a very different way from the park assist of Yasui et al.

Further, claim 17 now requires that in the case of an implausible deviation between the most recently recorded image and the image information in memory, an error message is displayed on the video display (1), and claim 18 requires that in such a case the video image display (1) is automatically switched off. Yasui et al teaches changing the distance information but does not teach indicating an error or switching off the system.

Claims 14 and 27 are, therefore, believed to be patentable over Yasui et al. and since all the dependent claims are ultimately dependent on claims 14 or 27, they are believed to be patentable as well.

Remaining Rejections

Claims 15-16 were previously rejected under 35 USC 103(a) as being unpatentable over Yasui et al. in view of Sakiyama et al. (US 6,411,867 B1).

Claim 17 were previously rejected under 35 USC 103(a) as being unpatentable over Yasui et al. in view of Ikeda (US 6,734,787 B2).

Claims 20-24 were previously rejected under 35 USC 103(a) as being unpatentable over Yasui et al. in view of Gunderson et al. (US 2006/0119473 A1).

Claims 25 and 28 were previously rejected under 35 USC 103(a) as being unpatentable over Yasui et al. in view of Shisgal et al. (US 5,574,426).

Applicants have reviewed the previous rejections and submit that they are moot in view of the current amendment of the claims as discussed above.
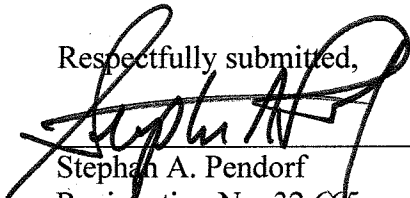
Accordingly, dependent claims are believed to be patentable due to their dependency on independent claims 14 or 27.

The Commissioner is hereby authorized to charge any fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account Number 16-0877.

Favorable consideration and early issuance of the Notice of Allowance are respectfully requested. **Should further issues remain prior to allowance, the Examiner is respectfully requested to contact the undersigned at the indicated telephone number.**

Respectfully submitted,

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